

## CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION (FPPC)

## Statements of Economic Interests - Form 700

Every elected official and public employee who makes or influences governmental decisions is required to submit a Statement of Economic Interest, also known as the Form 700. The Form 700 provides transparency and ensures accountability in two ways:

1. It provides necessary information to the public about an official's personal financial interests to ensure that officials are making decisions in the best interest of the public and not enhancing their personal finances.
2. It serves as a reminder to the public official of potential [conflicts of interest](#) so the official can abstain from making or participating in governmental decisions that are deemed conflicts of interest.

### Filing a Form 700

The FPPC is available to answer any questions you may have on Form 700 reporting or filing (1-866-275-3772 or [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)). A disclosure category is a description of the types of financial interests you must disclose on your Form 700 based on your job classification or position. Each agency defines its own disclosure categories for each position based on the type and scope of work performed.

**Employees in Newly Created Positions of Existing Agencies.** An individual hired for a position not yet covered under an agency's conflict of interest code must file Form 700 if the individual serves in a position that makes or participates in making governmental decisions. These individuals must file under the agency's broadest disclosure category until the code is amended to include the new position unless the agency has provided in writing a limited disclosure requirement. The Form 804 may be used to satisfy this requirement.

**When do you file:**

Assuming Office Statement

Annual Statement - the period covered is January 1st through December 31<sup>st</sup> of previous year.

Leaving Office Statement



# **TOWN OF LOOMIS**

## **CONFLICT OF INTEREST CODE**

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation 2 California Code of Regulations 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings (the "Standard Code"). Therefore, the terms of 2 California Code of Regulations 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Exhibit "A" in which officials and employees are designated and disclosure categories are set forth, constitutes the Conflict of Interest Code of the TOWN OF LOOMIS.

Pursuant to Section 4 (A) of the Standard Code, designated employees shall file statements of economic interests with the Town of Loomis. Statements for designated employees will be retained by the Town of Loomis.

**TOWN OF LOOMIS**  
**CONFLICT OF INTEREST CODE**

**EXHIBIT A**

**Designated Positions**

The following are designated positions within the Town of Loomis which involve or may involve the making or participating in the making of decisions which may foreseeably have a material effect on any economic interest and the specific types of investments, and business positions in business entities and income from sources which manufacture, sell or provide, supplies, materials, books, machinery, services or equipment of the type utilized by the agency, interest in real property, and sources of income which are reportable.

Each listed designated position must disclose on appropriate FPPC forms filed with the Town Clerk the disclosure information required by his or her Assigned Disclosure Category.

**List of Designated Positions**

**Assigned Disclosure Categories**

Town Council	1
Town Attorney	1
Town Clerk	2
Town Engineer	2
Town Finance Officer	1
Town Manager	1
Town Planning Director	2, 3
Town Assistant Planner	2, 3
Town Public Works Director	2, 3
Town Treasurer	1
Planning Commissioners	1
Design Review Committee	2
Town Consultants	*

**Disclosure Categories**

**Category 1**

All officials and employees in this category shall disclose their economic interests as required pursuant to Government Code Sections 87200, et seq.

## Category 2

An employee in this category could possibly have a conflict due to an interest in a supplier of goods, materials or services to the Town. Income and gifts from, and investments and business positions in, any business entity supplying such goods and services to the affected employees department or to the Town within the previous one year period are to be disclosed, if the value of such goods or services provided to the Town, or the value of funds deposited by the Town in or with such business entity, exceeds the sum of \$5,000.00 during the previous twelve (12) month period.

## Category 3

A designated employee in this category must report all investments in real property in or within five (5) miles of the Town's corporate limits or investments and business positions in business entities owning any such property; contracts currently outstanding or completed within the last twelve (12) months for any governmental agency within and including Placer County; and any contracts with any person or entity currently outstanding or completed within the last twelve (12) months concerning land use within the Town or within five miles of the Town's boundaries.

\*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

The Town Manager may determine in writing that a particular consultant, although a 'designated position', is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Town Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

A consultant shall be required to make the disclosure required by this Code prior to the award by the Town of any contract with such consultant.

Amended 12/89

Amended 3/92

Amended 12/98

Amended 9/02

Amended 8/12/08

Amended 9/14/12

Amended 11/11/14

Amended 10/11/16

**Agency Report of:  
New Positions**

**A Public Document**

California  
Form **804**

<b>1. Agency Name</b> (Also include, Division, Department, or Region (if applicable)) Town of Loomis		<input type="checkbox"/> Amendment Date of Original Filing: <u>3/23/17</u> <small>(month, day, year)</small>
<b>Agency Contact</b> Crickett Strock		
<b>Phone Number</b> 916-652-1840	<b>Email</b> cstrock@loomis.ca.gov	

**2. New Position Information**

Position Title/Classification and Job Summary	Assigned Category	OR	Disclosure Requirement	Assuming/Start Date (Optional)
Loomis Library Board Makes decisions for the Loomis Municipal Library	3			Start <u>02</u> / <u>14</u> / <u>17</u> m / d / yr
				Start ____ / ____ / ____ m / d / yr
				Start ____ / ____ / ____ m / d / yr
				Start ____ / ____ / ____ m / d / yr
				Start ____ / ____ / ____ m / d / yr
				Start ____ / ____ / ____ m / d / yr
				Start ____ / ____ / ____ m / d / yr

**3. Verification**

*I have read and understand FPPC Regulations 18700.3 and 18734. I have verified that the disclosure assignment(s) set forth above, is in accordance with its provisions.*

 Signature	Crickett Strock Name	Town Clerk Title	<u>3/23/17</u> (month, day, year)
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Comment: (Use this space or an attachment for any additional information.)



# Ethics Law Principles for Public Servants:

## KEY THINGS TO KNOW

*Note that the following are not statements of law, but rather principles the law is designed to achieve.*

*The goal in providing this list is to identify the kinds of issues addressed by public service ethics laws.*

*If an issue arises under these principles, public officials should consult agency counsel.*

### Personal Financial Gain Laws

Generally speaking, California law says public officials:

- » Cannot request, receive or agree to receive anything of value or other advantages in exchange for a decision.
- » Must disclose their financial interests to the public.
- » Must disqualify themselves from participating in decisions that may affect (positively or negatively) their financial interests.
- » Cannot have an interest in a contract made by their agency.
- » Cannot be involved in agency decisions that affect an official's future employer.
- » Cannot lobby their agency for pay for a year following their departure from the agency.

### Perk Issues: Including Compensation, Use of Public Resources and Gift Laws

Generally speaking, California law says public officials:

- » Receive limited compensation for their service to the public.
- » Cannot receive compensation for speaking, writing an article or attending a conference.
- » Are reimbursed for only those expenses allowed in agency expense reimbursement policies because those expenses have a demonstrable public purpose and necessity.
- » Cannot use public agency resources (money, travel expenses, staff time and agency equipment) for personal or political purposes.
- » Cannot send mass mailings at public expense.
- » Cannot make gifts of public resources or funds.

For more information on these principles, see [www.ca-ilg.org/EthicsLaws](http://www.ca-ilg.org/EthicsLaws).

- » Must disclose all gifts received of \$50 or more and may not receive gifts aggregating to over \$440 (2013-14 proposed) from a single source in a given year.
- » May only accept free trips and travel expenses under limited circumstances.
- » May not accept free or discounted transportation from transportation companies.
- » May not use campaign funds for personal benefits not directly related to a political, legislative or governmental purpose.

### Transparency Laws

Generally speaking, California law says public officials must:

- » Disclose their economic interests when they take office, annually while they are in office and when they leave office. These economic interests include such kinds of interests as: sources of income, property ownership, investments, certain family members' interests, business interests, loans, contracts and gifts received.
- » Disclose information about who has agreed to commit significant resources (\$5,000 or more) to legislative, governmental or charitable purposes at an elected official's request.
- » Disclose campaign contributions.
- » Conduct the public's business in open and publicized meetings, except for the limited circumstances when the law allows closed sessions.
- » Allow the public to participate in meetings, listening to the public's views before decisions are made.
- » Allow public inspection of documents and records generated, owned, used or retained by public agencies, except when non-disclosure is specifically authorized by law.

- » Disclose gifts given to the public agency and how they are ultimately used.

### Fair Process Laws and Merit-Based Decision-Making

Generally speaking, California law says public officials:

- » Cannot receive loans from those within the agency or with whom the agency contracts; loans from others must meet certain requirements.
- » Cannot engage in vote-trading.
- » Have a responsibility to assure fair and competitive agency contracting processes.
- » Cannot participate in quasi-judicial proceedings in which they have a strong bias with respect to the parties or facts.
- » Must conduct public hearings in accordance with fair process principles.
- » Cannot participate in decisions that will benefit their immediate family (spouse or domestic partner and dependent children).
- » Cannot simultaneously hold certain public offices or engage in other outside activities that would subject them to conflicting loyalties.
- » Cannot participate in entitlement proceedings—such as land use permits—involving campaign contributors (does not apply to elected bodies).
- » Cannot solicit campaign contributions of more than \$250 from permit applicants while an application is pending and for three months after a decision (if sitting on an appointed body).
- » Cannot solicit agency employee support for their political causes.
- » Cannot retaliate against those who whistle-blow.



## Public Official's Conflict of Interest Checklist

### KEY CONCEPTS

- ✓ A public agency's decision should be based solely on what best serves the public's interests.
- ✓ The law is aimed at the perception, as well as the reality, that a public official's personal interests may influence a decision. Even the temptation to act in one's own interest could lead to disqualification, or worse.
- ✓ Having a conflict of interest does not imply that a public official has done anything wrong; it just means that the official has financial or other disqualifying interests.
- ✓ Violating the conflict of interest laws could lead to monetary fines and criminal penalties. Don't take that risk.

### BASIC RULE

A public official may not participate in a decision – including trying to influence a decision – if the official has financial or, in some cases, other strong personal interests in that decision. When an official has an interest in a contract, the official's agency may be prevented from even making the contract.

### WHEN TO SEEK ADVICE FROM AGENCY COUNSEL

The rules are very complex. A public official should talk with agency counsel 1) early and often, 2) when an action by the public agency, 3) may affect (positively or negatively), 4) any of the following:

- ✓ **Income.** Any source of income of \$500 or more (including promised income) during the prior 12 months for the official or official's spouse/domestic partner.
- ✓ **Business Management or Employment.** An entity for which the official serves as a director, officer, partner, trustee, employee, or manager.
- ✓ **Real Property.** A direct or indirect interest in real property of \$2000 or more that the official or official's immediate family (spouse/domestic partner and dependent children) have, including such interests as ownership, leaseholds (but not month-to-month tenancies), and options to purchase. Be especially alert when any of these are located within 500 feet of the subject of the decision.
- ✓ **Gift Giver.** A giver of a gift of \$440 (2013-14 amount) or more to the official in the prior 12 months, including promised gifts.
- ✓ **Lender/Guarantor.** A source of a loan (including a loan guarantor) to the official.

- ✓ **Personal Finances.** The official or official's immediate family's (spouse/domestic partner and dependent children) personal expenses, income, assets, or liabilities.
- ✓ **Contract.** A contract that the agency is considering entering into, in which the official or a member of the official's family may have an interest (direct or indirect).
- ✓ **Business Investment.** An interest in a business that the official or the official's immediate family (spouse/domestic partner and dependent children) have a direct or indirect investment worth \$2000 or more.
- ✓ **Related Business Entity.** An interest in a business that is the parent, subsidiary or is otherwise related to a business where the official:
  - Has a direct or indirect investment worth \$2000 or more; or
  - Is a director, officer, partner, trustee, employee, or manager.
- ✓ **Business Entity Owning Property.** A direct or indirect ownership interest in a business entity or trust of the official's that owns real property.
- ✓ **Campaign Contributor.** A campaign contributor of the official (applies to appointed decision-making bodies only).
- ✓ **Other Personal Interests and Biases.** The official has important, but non-financial, personal interests or biases (positive or negative) about the facts or the parties that could cast doubt on the official's ability to make a fair decision.

### WHAT WILL HAPPEN NEXT?

Agency counsel will advise the official whether 1) the official can participate in the decision and, 2) if a contract is involved, whether the agency can enter into the contract at all. Counsel may suggest asking either the Fair Political Practices Commission or the State Attorney General to weigh in.

### EVEN IF IT'S LEGAL, IS IT ETHICAL?

The law sets only minimum standards. Officials should ask themselves whether members of the public will question whether officials should act solely in the public's interest. If they might, officials should consider excusing themselves voluntarily from that particular decision-making process.



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## Beyond the Law: Ethics and Values

- » Ethics is what one ought to do in a given situation. It's the kind of conduct that would make the world a better place if everyone engaged in it.
- » The law provides only minimum standards for ethical conduct. Just because a course of action is legal, doesn't make it what one ought to do.
- » What one ought to do is typically tied to a series of values:
  - Trustworthiness      – Compassion
  - Respect                – Loyalty
  - Responsibility        – Fairness

For more information on this topic, see  
[www.ca-ilg.org/LeadingValues](http://www.ca-ilg.org/LeadingValues)

*The Institute is grateful to the following firms  
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Aleshire & Wynder, LLP  
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The Institute for Local Government is the nonprofit research affiliate of the League of California Cities and the California State Association of Counties.

Its mission is to promote good government at the local level.

The Institute's current program areas include:

- » Local Government 101
- » Public Engagement
- » Public Service Ethics
- » Sustainability

**Ethics Law Principles for Public Servants:  
Key Things To Know**

[www.ca-ilg.org/EthicsPrinciples](http://www.ca-ilg.org/EthicsPrinciples)

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\$10 (Set of five)

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